

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

STONINGTON PARTNERS, INC., a Delaware Corporation, STONINGTON CAPITAL APPRECIATION 1994 FUND L.P., a Delaware Partnership and STONINGTON HOLDINGS, L.L.C., a Delaware limited liability company,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM (formerly known as ARTESIA BANKING CORP., SA),  
Defendants.

No.: 04-CV-10411 (PBS)

GARY B. FILLER and LAWRENCE PERLMAN, Trustees of the TRA Rights Trust,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM (formerly known as ARTESIA BANKING CORP., SA),  
Defendants.

No.: 04-CV-10477 (PBS)

JANET BAKER and JAMES BAKER, JKBAKER LLC and JMBAKER LLC,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM (formerly known as ARTESIA BANKING CORP., SA),  
Defendants.

No.: 04-CV-10501 (PBS)

**RESPONSE TO DEXIA BANK BELGIUM'S MOTION TO  
COMPEL A COMPLETE RESPONSE TO ITS SECOND SET OF  
INTERROGATORIES TO BAKER, FILLER AND STONINGTON PLAINTIFFS**

Plaintiffs in each of the above-captioned cases (collectively, the "Transactional Plaintiffs") respectfully submit this response to Dexia Bank Belgium's ("Dexia's") Motion to Compel a Complete Response to its Second Set of Interrogatories to Baker, Filler, and Stonington Plaintiffs (the "Motion"). In support hereof, the Transactional Plaintiffs state as follows:

Dexia complains that Transactional Plaintiffs have failed to fully respond to Dexia's Second Set of Interrogatories and, through its Motion, seeks an order compelling additional information. As set forth in the accompanying affidavits of counsel for each of the Transactional Plaintiffs (Exhibits A-C hereto), however, Transactional Plaintiffs have objected to providing, and have withheld, information responsive to Dexia Second Set of Interrogatories only to the limited extent that they are contractually obligated to KPMG LLP to maintain certain information in confidence. Apart from complying with their contractual obligations, Transactional Plaintiffs do not oppose the Motion. Transactional Plaintiffs do not, however, purport to speak for KPMG LLP and note that KPMG LLP may make a separate submission setting forth its position regarding Dexia's Motion.

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**CERTIFICATE OF SERVICE**

I hereby certify that this document will be filed through the ECF system, which filing will constitute service of the document upon all registered ECF users as identified on the Notice of Electronic Filing (NEF). A paper copy of this document has been mailed in accordance with FED. R. CIV. P. 5(b) to all those case participants not identified on the NEF as electronic recipients. Counsel for KPMG LLP will also be provided a copy of this document.

/s/ Susan M. Davies